



Attorney Docket: 27010U
Date: January 5, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
DIETRICH, et al.
Serial No.: 10/551,943
Filed: October 4, 2005
Title: ORAL PHARMACEUTICAL PREPARATION FOR PROTON PUMP ANTAGONISTS

Art Unit: Unknown
Examiner: Unknown

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Information Disclosure Statement;
- 2) PTO Form-1449 with 106 cited references;
- 3) Copies of 95 of the 106 cited references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath, Reg. No. 26,965
Joshua B. Goldberg, Reg. No. 44,126
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

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Date: January 5, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Art Unit: Unknown
DIETRICH, et al. Examiner: Unknown
Serial No.: 10/551,943
Filed: October 4, 2005
Title: **ORAL PHARMACEUTICAL PREPARATION FOR PROTON PUMP
ANTAGONISTS**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: **[NOTE:** One only of items a, b, c, and d must be checked.]

- ☐ a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- ☐ b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.
The enclosed statement is accompanied by ☐ (check one):
- ☐ i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
- ☐ ii. a check in the amount required by 37 C.F.R. 1.17(p).
- ☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

- ☐ Certification report(e) below; and
- ☐ a check in the amount as required by 1.17(p).

☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

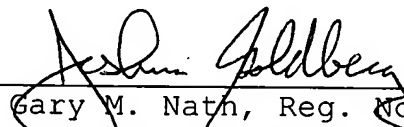
[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath, Reg. No. 26,965
Joshua B. Goldberg, Reg. No. 44,126
Sheldon M. McGee, Reg. No. 50,454
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FORM PTO-1449

INFORMATION DISCLOSURE CITATIONIn re Application of:
DIETRICH, et al.Art Unit:
UnknownSerial No:
10/551,943Filed:
October 4, 2005Serial No:
10/551,943**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Issue / Publication Date	Inventor	Filed
A1	2002/045646 A1	18 Apr. 2002	Phillips	9 Jul. 2001
A2	2004/028737 A1	12 Feb. 2004	Deshpande et al.	12 Aug. 2002
A3	4,464,372	7 Aug. 1984	Bristol et al.	16 Aug. 1982
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	Document Number	Publication Date	Country	Translation
A5	30 11 490 A1	12 Mar. 1981	DE	Abstract
A6	36 22 036 A1	22 Jan. 1987	DE	Abstract
A7	39 17 232 A1	29 Nov. 1990	DE	Abstract
A8	199 25 710 A1	14 Dec. 2000	DE	Abstract
A9	0 005 129 B1	31 Oct. 1979	EP	N/A
A10	0 033 094 B1	05 Aug. 1981	EP	N/A
A11	0 068 378 B1	05 Jan. 1983	EP	N/A
A12	0 120 589 B1	03 Oct. 1984	EP	N/A
A13	0 125 756 A2	21 Nov. 1984	EP	N/A
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A15	0 166 287 B1	02 Jan. 1986	EP	N/A
A16	0 174 726 B1	19 Mar. 1986	EP	N/A
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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

A22	Wurst, W., et al., "Current Status of Acid Pump Antagonists (Reversible PPIs)", <u>Yale Journal of Biology and Medicine</u> , Vol. 69, Pp. 233-243, (1996).
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Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 INFORMATION DISCLOSURE CITATION			In re Application of: DIETRICH, et al. Serial No: 10/551,943		Filed: October 4, 2005	Art Unit: Unknown Serial No: 10/551,943
U.S. PATENT DOCUMENTS						
Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed	
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Examiner				Date Considered		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.						

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	A67					
Examiner				Date Considered		
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FORM PTO-1449 <u>INFORMATION DISCLOSURE CITATION</u>	In re Application of: DIETRICH, et al.		Art Unit: Unknown
	Serial No: 10/551,943	Filed: October 4, 2005	Serial No: 10/551,943

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Examiner Initial	Document Number	Issue / Publication Date	Inventor	Filed
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Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed	
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Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed
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	A130				
	A131				
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	A134	

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